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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/695,481	10/27/2003	Cheryl Phillips	34250-1150	5221
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Malvern U. Griffin III SUTHERLAND ASBILL & BRENNAN LLP 999 Peachtree Street, N.E. Atlanta, GA 30309-3996				
EXAMINER				
DANNEMAN, PAUL				
ART UNIT		PAPER NUMBER		
3627				
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**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

# Office Action Summary

**Application No.**

10/695,481

**Applicant(s)**

PHILLIPS ET AL.

**Examiner**

PAUL DANNEMAN

**Art Unit**

3627

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 18 July 2008.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-36 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☐ Claim(s) \_\_\_\_\_ is/are allowed.
- 6) ☒ Claim(s) 1-36 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on \_\_\_\_\_ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.  
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).  
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SF/ICE)  
Paper No(s)/Mail Date \_\_\_\_\_
- 4) ☐ Interview Summary (PTO-413)  
Paper No(s)/Mail Date \_\_\_\_\_
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_

## **DETAILED ACTION**

### **Response to Amendment**

1. This action is in reply to Applicant's response, filed 4 June 2008 to the first office action
2. Claims 1, 10, 20 and 29 have been amended.
3. Pending Claims 1-36 have been examined in this application.

### **Response to Arguments**

4. Applicant arguments have been carefully considered, but are moot based on the new grounds of rejection.

### ***Claim Rejections - 35 USC § 103***

5. **Claims 1-5, 10-15, 20-24, and 29-36** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanders et al., US 2003/0158811 A1 hereafter known as Sanders and in further view of NACHA\_ARC.

#### **Claims 1, 10, 20 and 29:**

With regard to the limitations:

- ***Accessing editable transaction records.***
- ***Accounts receivable check transaction records do not receive an editing receipt via the location-base device.***

Sanders in at least paragraphs [0008 through 0010] discloses both consumer and corporate ACH transactions depending on the relationship of the parties involved in the transaction and the type of Receiver account. Sanders in at least paragraphs [0011] further discloses that every transaction requires an origin type Sanders in at least paragraph [0013] further discloses that front-end processing by merchants is performed via a number of different software applications.

Sander in at least paragraph [0012] discloses NACHA rules for ARC (accounts receivable entries) and where ARC represents a central conversion of paper checks to electronic payments. Sanders in at least FIG. 11 and paragraph [0313] still further discloses an account receivable conversion workflow where checks are scanned both OCR and MCIR to create network ready data files. Saunders in at least paragraph [0314] still further discloses a verification process for the network ready data files and for manual editing of deficiencies. Sanders in at least FIG. 11 and paragraph [0315] further discloses that in the final step (268), transaction activity is integrated and receipts information is automatically applied to a customer's accounts receivable. NACHA\_ARC in at least paragraph [5] discloses the requirement to use a reading device to capture the MICR line (routing number, account and check serial number) from the check and will enter the amount. He may NOT key enter the MICR information except to correct misreads. Therefore, it would be obvious, at the time of the invention, to one of ordinary skill to combine the well known Electronic Funds Transfer features of Sanders with the well known clearinghouse features of NACHA\_ARC for handling and being able to distinguish and process ARC (accounts receivable) to achieve the predictable results with the motivation of ensuring that non-face-to-face checks are properly cleared (editing receipt is not printed).

**Claims 2-5, 11-15, 21-24, and 30-36:**

With regard to the limitations:

- *Check image contains magnetic ink character recognition (MICR) information.*
- *Check transaction records include accounts receivables that do not get an editing receipt.*
- *Check transaction records include face-to-face previously authorized by a check processing service.*

Sanders in at least Fig.10 and paragraph [0297] discloses transaction processing and scanning of paper financial transaction payment instruments with a scanned transaction retrieval module configured to separate MICR and transaction data detail from the scanned image and transmitting

the transaction data to the business layer for further processing according to some multiple independent rules. Sanders in at least paragraph [0299] further discloses that the multiple independent rules are configured to determine the clearinghouse eligibility of the transaction items based on the MICR data and / or transaction data of the respective transaction item.

6. **Claims 6-9, 16-19, and 25-28** are rejected under 35 U.S.C. 103(a) as being unpatentable over Sanders as applied to claims 1-3, 10-13, and 20-21 above, and further in view of Slater, US 7,020,639 B1.

**Claims 6-9, 16-19, and 25-28:**

With regard to the limitation:

- ***Transaction records can be edited to correct deficiencies.***

Saunders in at least paragraph [0314] discloses a verification process for editing deficiencies.

Saunders however, does not disclose the following limitation.

- ***Check transaction records previously authorized by a check processing service have a risk assessment performed on them.***

Slater in at least Column 7, lines 62-67 and Column 8, lines 1-20 discloses a method for assessing a check based on the past and current performance of a checking account. Therefore, it would have been obvious, at the time of the invention, to one of ordinary skill to modify Sanders' rules based electronic funds transaction processing with the risk assessment of Slater to minimize losses to merchants and check processing companies from fraudulent checks.

**Conclusion**

7. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire THREE MONTHS from the mailing date of this action. In the event a first reply is filed within TWO MONTHS of the mailing date of this final action and the advisory action is not mailed until after the end of the THREE-MONTH shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

8. Any inquiry concerning this communication or earlier communications from the examiner should be directed to PAUL DANNEMAN whose telephone number is (571)270-1863. The examiner can normally be reached on Mon.-Thurs. 6AM-5PM Fri. off.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Florian Zeender can be reached on 571-272-6790. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Paul Danneman/  
Examiner, Art Unit 3627  
29 August 2008

/F. Ryan Zeender/  
Supervisory Patent Examiner, Art Unit 3627